

UNITED STATES DISTRICT COURT

for the

District of Nebraska

SEALED

United States of America

v.

Case No. 8:21MJ216

ARMANDO B. DANIELS

*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 6, 2021 in the county of Sarpy in the
 District of Nebraska, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. § 2423(a)

Transportation of a Minor with Intent to Engage in Criminal Sexual Activity

18 U.S.C. § 2422(a)

Coercion and Enticement of a Minor

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.

Complainant's signature

Darin Morrissey, FBI TFO

Printed name and title

Sworn to remotely via reliable electronic means.

Date: 4-8-21

*Judge's signature*City and state: Omaha, Nebraska

Susan M. Bazis, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Darin S. Morrissey, having been first duly sworn, do hereby depose and state as follows:

INTRODUCTION

1. Your Affiant is a Deputy Sheriff with the Sarpy County Sheriff's Office. Your Affiant has been a Deputy Sheriff since June 2000. Your Affiant is currently assigned to the Federal Bureau of Investigation (FBI) Child Exploitation Human Trafficking Task Force (CEHTTF) as a Federally Deputized Task Force Officer (TFO) in Omaha, Nebraska. Since January 2010, Your Affiant has been assigned to investigate computer and high technology crimes, to include child pornography investigations.

2. Your Affiant is a Deputy Sheriff with over twenty (20) years of experience in law enforcement with the Sarpy County Sheriff's Office. Your Affiant has over two hundred (200) hours of training in Computer Forensics. Your Affiant also has attended training through, but not limited to, the National White Collar Crime Institute, Guidance Software, Sumuri, Internet Crimes Against Children (ICAC), and the U.S. Secret Service. Your Affiant has a bachelor's degree in Criminal Justice from Bellevue University. Your Affiant has been assigned to Computer / Internet / Technical crimes since January of 2010. I have participated in at least one hundred (100) Peer-2-Peer investigations and at least three hundred (300) child pornography investigations.

3. During my time in law enforcement, I have investigated numerous federal and state crimes including but not limited to, narcotics violations, child sexual exploitation, and physical and sexual assaults. I have also written search warrants, assisted with the execution of search warrants, interviewed numerous suspects, victims, and witnesses all for crimes pertaining to the aforementioned criminal investigations. I have gained expertise in the conduct of such investigation through specialized training, everyday work related to conducting these types of investigations, and have had the opportunity to observe and review numerous examples of child sexual abuse material in a variety of media, including digital media. My training and experience as a SA, my participation in the investigation of child sexual abuse material, child exploitation, and child prostitution violations, and my conversations with other law enforcement officials familiar with child exploitation, child sexual abuse material, and human trafficking, form the basis of my opinions and conclusions set forth below which I drew from the facts set forth herein. This affidavit is based upon information I have gained through my training and experience, and my investigation of this matter, as well as upon information related to me by other individuals engaged in this investigation, specifically law enforcement officers with the FBI, the Princeton, Illinois; Papillion, Nebraska; and Elkhart Indiana, Indiana State Police Department, and other law enforcement agencies.

PURPOSE OF THIS AFFIDAVIT

4. This affidavit is submitted in support of a criminal complaint and arrest warrant for Daniels, Armando B. (hereinafter Daniels), a male, born in 1989. Since this affidavit is being submitted for the limited purpose of securing a criminal complaint and an arrest warrant, I have

not included each and every fact known to me concerning this investigation. The statements contained in this affidavit are based in part on the investigation that I have conducted, and information provided to me by other law enforcement officers verbally, and through written reports.

OVERVIEW OF INVESTIGATION

5. On 4-6-21 at 2332 hours, Dep. Orwig/1069 of the Sarpy County Sheriff's Office, was dispatched to an address in Sarpy County, Nebraska for a juvenile runaway report. He had contact with the mother of Minor 1 (the mother of Minor 1 shall be referred to as, "Minor 1's Mother"). Minor 1's Mother reported that sometime between 2130 hours and 2300 hours that evening her 15-year-old daughter, Minor 1 (DOB: xx-xx-2005), left the residence. Minor 1's Mother reported that Minor 1 had never done anything like before and she did not know where she would have gone. Minor 1 did not take any electronics or her cell phone with her. At the time, Minor 1's Mother did not know what Minor 1 was last seen wearing. Minor 1's Mother checked Minor 1's cellphone but was unable to locate anything that indicated where she went or who she was with. Dep. Orwig checked the area with nothing found. The residence is located in rural Sarpy County and is two miles from any residential neighborhoods. Minor 1 was entered into NCIC as a missing juvenile.

6. On 4-6-21 at 1420 hours, Inv. Andrea Hurt/1052 of the Sarpy County Sheriff's Office was contacted by Dep. Roberts/980. Dep. Roberts advised that Minor 1's Mother contacted police with new information and concerns that her daughter was taken out of state and possibly a victim of human trafficking. Dep. Roberts advised that Minor 1's Mother found out

that Minor 1 had deleted phone calls and on 4-6-21, Minor 1 spoke several times to an unknown person at a Maryland phone number 443-602-2855.

7. Inv. Andrea Hurt contacted Minor 1's Mother. She stated that she went to the Platteview High school to obtain information from Minor 1's friends, but no one knew where she was. She provided several school friends names of Friend 1, Friend 2, and Friend 3. Dep. Miller and Dep. Roberts checked several local addresses and none of Minor 1's friends knew where she was. Minor 1 had not contacted them nor told them she was planning to run away. None of Minor 1's friends had a driver's license or access to a vehicle.

8. Minor 1's Mother explained that in the evening of 4-6-21, Minor 1 acted normal and there were no arguments. Minor 1's Mother stated that Minor 1 is an online gamer and has many online friends. She stated that Minor 1 was very gullible and naïve and has the maturity and mindset of a 12–13-year-old child. Minor 1's Mother stated that Minor 1 was intellectually delayed and was socially awkward. Minor 1's Mother stated that Minor 1 received extra assistance with schoolwork at school. She explained that Minor 1 was never officially diagnosed, but she possibly had Autism or Asperger's and ADHD. Minor 1's Mother stated that Minor 1 had no money or access to money. She advised her 23-year-old daughter ("Daughter 2") was searching through Minor 1's online accounts and found some disturbing things. Daughter 2 found nude photos and videos of Minor 1 that she had been sending out to unknown men on online chat sites. Minor 1's Mother advised that Minor 1's whole world is Xbox gaming and Minor 1's Mother stated that Daughter 2 could bring the phone to provide me further information.

9. Inv. Hurt met with Daughter 2 and Minor 1's Mother at the residence. Minor 1's Mother stated that Minor 1 has been using her Sprint Samsung phone (XXX-XXX-XXXX) for the last year. She advised that the Sprint phone account to Minor 1's phone belonged to her husband's boss ("Huband's Boss"). Husband's Boss provided Minor 1's Mother with a log of phone numbers from Minor 1's phone that she called in the days leading up to when she left. Husband's Boss later provided Inv. Hurt the Sprint list. Inv. Hurt noted that on 4-3-1, Minor 1 had incoming calls from 631-560-8306 at 8:46 PM for 21 minutes and at 9:26 pm for 20 minutes. On 4-4-21, she had a call from 631-560-8306 at 7:54 PM for one minute and at 7:55 PM for one minute. (631 is an area code for New York). On 4-5-21, Minor 1 had incoming calls from 443-602-2855 at 8:51 PM for five minutes and at 9:56 PM for four minutes. On 4-6-21, Minor 1 had incoming calls from 443-602-2855 at 1:05 PM for four minutes, at 4:29 PM for three minutes and at 4:50 PM for two minutes. (443 is an area code for Maryland). Minor 1's Mother advised that she had no idea who those numbers belonged to and that they did not know anyone from those states. Inv. Hurt later checked the phone numbers through public accessible databases and there was no owner information. Inv. Hurt confirmed that 631-560-8306 was a Verizon phone number in Brentwood, NY and confirmed that 443-602-2855 was a Verizon phone number in Baltimore, MD.

10. Daughter 2 advised that she had been searching through Minor 1's phone and found nude photos and videos of Minor 1 that she had sent out to unknown persons on the chat application Discord. Daughter 2 stated that males were also sending photos of their penis to Minor 1. Daughter 2 stated that Minor 1 is an online gamer and has been talking to unknown

males through her Xbox games and her applications of Snapchat, Instagram, and Discord. Minor 1's Mother advised that she had taken Minor 1's X-Box away five days ago, so Minor 1 was likely using social media sites on her cellphone. Minor 1's Mother stated she further went through Minor 1's room and found that Minor 1 had taken two dresses, bras, underwear, her gaming headset, and a black 'Mavericks' hoodie. Daughter 2 reported that she found a conversation on Discord between Minor 1 and the username Taku. Taku asked Minor 1 where she was going on the evening of 4-6-21. Daughter 2 stated that while in Minor 1's Discord account she messaged and spoke to Taku, who told her that Minor 1 told him that she packed her controller and clothes, that there was family problems and she was leaving with a friend. Daughter 2 advised me that Minor 1's Gmail account was [redacted]@gmail.com and she provided me her password.

11. Inv. Hurt provided Inv. Morrissey Minor 1's phone, and I began a forensic download of the phone at the Sarpy County Sheriff's Office. I located multiple conversations on Discord with unknown persons where Minor 1 sent nude photos of herself. She also had received photos of penises. Minor 1 did not have any conversations on Discord after 4-7-21. I located a timeline of Minor 1's last login times to different applications on 4-6-21. She last logged into Snapchat at 9:56 PM, Messenger at 9:44 PM, and Xbox at 9:42 PM. At 10:19 PM, her Instagram and Snapchat account were uninstalled. I initiated a download of Minor 1's google/Gmail account using her email address and password. At approximately 2000 hours, Google requested a password be entered. I entered the password that I previously used to access the account, but it no longer worked. I attempted it several times, and then I had a

warning appear that there were too many failed attempts and a verification code was needed. The warning stated that in order to get the verification code, “you must first confirm the phone number you added to your account (***) ***-**06.” Daughter 2 previously advised that Minor 1 did not have a phone number linked to her Gmail/google account. It appeared that someone had accessed Minor 1’s account and added a phone number ending in 06. Daughter 2 advised that Minor 1 would not be capable of changing the settings because she struggled with even password protecting her accounts. I was able to locate a phone number 605-760-4906 (Yankton, SD) from Minor 1’s Gmail/google account. It was believed that one of the out of state numbers from South Dakota or New York was possibly added to Minor 1’s Gmail/google account.

12. Daughter 2 advised that Minor 1 is known to trust strangers on the internet due to being naïve and that the majority of her “friends” are online. Daughter 2 stated that Minor 1 is socially awkward, so she spends the majority of her time in the online world.

13. In reviewing Minor 1’s phone use, she had erased her call log history and disabled several Applications. We located and confirmed that Minor 1 had sent explicit nude photos of herself to unknown users on Discord and had received photos of male genitalia. Minor 1 had additional conversations on Discord with username moonlight#4152 on the evening she went missing. There were no conversations located that explained where or who Minor 1 went with. Minor 1 had disabled online accounts and left her phone behind. Her last phone conversations prior to her disappearance were to numbers in New York and Maryland. Due to her having intellectual delays and having conversations with unknown men from various unknown locations, there was concerns that she was in serious physical danger.

14. Due to those serious concerns that Minor 1 was in serious physical danger, Inv. Hurt contacted Verizon to complete an exigent circumstance ping (signal sent to cell phone and cell phones location is reported corresponding to cell phone tower) of the three out of state phone numbers. Verizon confirmed that all three phone numbers were active phone numbers. On 4-6-21 at 2224 hours, the South Dakota # last four 4906 showed the location of Avon, SD. This phone was not in the area at the time of Minor 1's disappearance.

15. On 4-6-21 at 1732 hours, the Baltimore, MD last four #2855 showed a cellphone location of Westbranch, IA (next to Interstate 80). On 4-7-21 at 0607 hours, #2855 showed a cellphone location of Princeton, IL (next to Interstate 80). Verizon advised that this phone was then powered off and there were no more locations available.

16. On 4-6-21 at 2200 hours, the New York last four # 8306 showed a cellphone location of 14705 Custer Rd Sarpy County, NE. This location is approximately 4.5 miles northwest of Minor 1's residence and during the time of her disappearance. At 2233 hours, #8306 was located at 14705 Custer Rd. At 2332 hours, #8306 was located at Walnut, IA (next to Interstate 80). At 0356 hours on 4-7-21, #8306 was at Iowa City, IA (next to Interstate 80). At 2247 hours on 4-7-21, #8306 was at Princeton, IL (next to Interstate 80).

17. At this point, it was apparent that Minor 1 was likely with an unknown person from the Maryland or New York area. Verizon confirmed that these two phone numbers were prepaid accounts through Tracfone. Inv. Hurt contacted Tracfone for subscriber information on the phone numbers. The NY number 8306 had no subscriber information but was active in a NY zip code 11717 on 10-18-20. The MD number 2855 had a customer name of M.L. (DOB XX-

XX-70). Tracfone advised that this number was no longer active in the system and was deactivated on 3-11-21. Tracfone advised that the phone would still be able to connect to Wi-Fi to be used.

18. Verizon authorized 48 hours of location pings for the two phone numbers and Inv Hurt began receiving updates every 15 minutes starting at approximately 2334 hours on 4-7-21. At this point, the MD number 2855 was still shut off. The NY number 8306 showed a location of Princeton, IL (next to Interstate 80). There were several hotels in the area of the Princeton, IL ping location. Due to this, local Princeton police department officers were sent to the area hotels off Interstate 80 to check for vehicles with possible Maryland license plates. At 0006 hours, the NY phone showed that it was moving east along Interstate 80.

19. Inv. Hurt continued to track the phone as it traveled east along Interstate 80. At 0321 hours, the NY phone showed a location along Interstate 80 in Elkhart, IN. The map showed the location to be at or near the George N Craig Travel Plaza at 2971 Moose Trail in Elkhart. Inv. Hurt contacted the Indiana State police dispatch center and requested an Officer check that location. Indiana State Trooper Makin was dispatched. The phone continued to ping in that area at 0336 hours, 0351 hours, and 0406 hours. Inv. Hurt emailed a photo of Minor 1 to their dispatch. Trooper Makin located a gray 2004 Nissan Altima (NY license DZW2711) with a young female in the backseat. Trooper Makin made contact with vehicle and identified the female as Minor 1. Trooper Makin advised me that she spoke to the driver identified as Armando DANIELS (XX-XX-89). She advised that Armando told her that he did not know the girl's last name in the backseat or her date of birth. He then stated that they dated for 2 years and

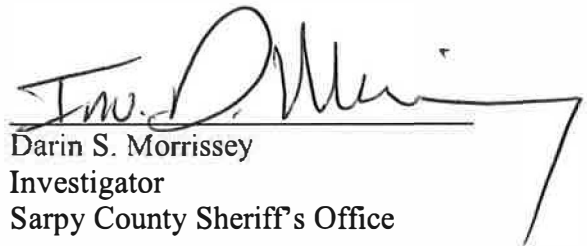
she was 19 years old. Trooper Makin spoke to Minor 1 outside the vehicle. Minor 1 was evasive at first and then admitted to her name. Minor 1 told Trooper Makin that she wanted to kill herself, so he was going to take her to New York. Minor 1 stated that DANIELS picked her up from her house. Trooper Makin saw scratches and marks on Minor 1's neck and asked Minor 1 about it. Minor 1 stated that he did it, but she wanted it. Trooper advised that the marks looked like hickies and possible ligature marks. Minor 1 further told Trooper Makin that DANIELS promised to give her a kitten when she got to New York. He also promised Minor 1 that he would feed her and exercise with her. Minor 1 told Trooper Makin that DANIELS put his fingers in her vagina and she touched his penis at a hotel in Illinois.

20. DANIELS picked up 15-yearold Minor 1 without her parents' consent or knowledge. DANIELS drove east on Interstate 80 crossing through Iowa and Illinois before being stopped by police in Indiana. DANIELS sexually assaulted Minor 1 through digital penetration in Illinois. Daniels restrained 15-year-old Minor 1's movement by transporting Minor 1 without her parent's consent or knowledge approximately 567 miles East from Sarpy County, Nebraska, across Interstate 80 through Iowa and Illinois, only to be stopped in Elkhart, Indiana by Law Enforcement Intervention. Minor 1 stated that the intended end destination was the state of New York. Daniels committed the act of first-degree sexual assault by digitally penetrating her in the State of Illinois.

21. Based upon the above facts and circumstances, I believe sufficient probable cause exists to authorize a criminal complaint and arrest warrant for Armando Daniels, regarding the violation of Transportation of a Minor with Intent to Engage in Criminal Sexual Activity in


violation of 18 U.S.C. § 2423(a) and Coercion and Enticement of a Minor in violation of 18 U.S.C. § 2422(a).

22. I further request that the Court order that the criminal complaint, arrest warrant, and all papers in support of this criminal complaint be sealed. These documents discuss an ongoing criminal investigation in which all of the information is not known to the public nor to the target of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation, including by giving the target an opportunity to destroy or tamper with evidence, change patterns of behavior, and notify confederates.



Darin S. Morrissey
Investigator
Sarpy County Sheriff's Office

Subscribed and sworn before me this 8th
day of April 2021.



Susan M. Bazis
United States Magistrate Judge
District of Nebraska